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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,225	03/06/2001	Branko D. Kovacevic	ATI.0100440	3322
34456	7590	10/05/2004	EXAMINER	
TOLER & LARSON & ABEL L.L.P. 5000 PLAZA ON THE LAKE STE 265 AUSTIN, TX 78746			VO, HUYEN X	
			ART UNIT	PAPER NUMBER
			2655	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/800,225

Applicant(s)

KOVACEVIC, BRANKO D.

Examiner

Huyen Vo

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 6/29/2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/26/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

#### ***Response to Amendment***

The proposed reply filed on 6/29/2004 has not been entered because it is unsigned.

Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

#### ***Claim Objections***

Claims 3, 9-10, and 31 are objected to because of the following informalities: claim language should not include abbreviations. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 recites the limitation "wherein the request" in line 11 on page 24. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2655

A person shall be entitled to a patent unless – (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7, 9, 11, 13-19, and 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Rim et al. (US Patent No. 5841472).

1. Regarding claim 1, Rim et al. disclose a method comprising the steps of:  
  
receiving transport packets (col. 3, ln. 26-30);  
  
identifying a transport packet as containing audio stream data (col. 3, ln. 25-28, the parser unit must know what the input data is so that it can output audio, video, and PID data);  
  
comparing the value of a first field in the transport packet to a value of a first field register to determine a first outcome (col. 7, ln. 45-67); and  
  
determining whether to enable audio stream data related to the transport packet to be received by a system or to discard the transport packet, based upon the first outcome (figure 14 shows an error indicating mechanism which is used to enable or reject audio stream data).
2. Regarding claim 15, Rim et al. disclose a system for parsing audio data associated with a transport packet of a packetized elementary stream (figure 4), the system comprising:  
  
a data bus having a predetermined number of nodes for transmitting a plurality of data words (col. 4, ln. 1-5);  
  
a transport packet parser (element 11 of figure 4) having:  
  
a storage location having an output coupled to the data bus (element 21a of figure 4), the storage location to store a value identifying a first data word, wherein the first data

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word has an audio packet indicator (col. 3, ln. 24-35, where PID represent for packet identifier);

a comparator having a first input coupled to the output of the storage location and an output coupled to an audio parser (output of parser 11 is connected to CPU Interface Unit 14 as shown in figures 3 and 4. The CPU Interface Unit 14 of figures 3-4 perform the comparison process described in col. 7, ln. 45 to col. 8, ln. 10);

the audio parser having an enable input coupled to the comparator of the transport packet parser (col. 7, ln. 37-44), the audio parser further includes:

a first storage location having an output coupled to the data bus (51 of figure 5), the first storage location to store a first value representing a valid data word having the first audio packet indicator (col. 5, ln. 51 to col. 6, ln. 35, or referring to figures 5-6);

a second storage location for storing a second value representing a comparable audio packet indicator (col. 6, ln. 27-);

a first audio packet filter for analyzing the first value with respect to the second value (col. 7, ln. 45 to col. 8, ln. 10, by comparing the two field values);

a first comparator having an input coupled to the output of the first storage location of an audio parser and an output (output of parser 11 is connected to CPU Interface unit 14 as shown in figures 3 and 4. The CPU Interface Unit 14 of figures 3-4 perform the comparison process described in col. 7, ln. 45 to col. 8, ln. 10).

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3. Regarding claim 2, Rim et al. further disclose a decoding system (figure 4) and a method further includes the step of further including providing the audio stream data related to the transport packet to a decoding system (col. 3, ln. 31-45).
4. Regarding claim 3, Rim et al. further disclose that the audio stream data includes PES audio data (col. 4, ln. 23-32).
5. Regarding claims 4 and 16, Rim et al. further disclose that the decoding system detects an audio stream data property through a stream indicator included in the audio stream data (that is a set of PID, col. 7, ln. 45 to col. 8, ln. 9).
6. Regarding claim 5, Rim et al. further disclose that the data property includes audio type (col. 3, ln. 62-67).
7. Regarding claim 7, Rim et al. further disclose that the stream indicator includes start codes (col. 4, ln. 23-40).
8. Regarding claim 9, Rim et al. further disclose that the audio decoding system includes an MPEG audio decoder (col. 3, ln. 22-26).
9. Regarding claim 11, Rim et al. further disclose that the decoding system is capable of generating an interrupt to control receiving the audio data related to the transport packet (col. 3, ln. 22 to col. 4, ln. 5).

10. Regarding claim 13, Rim et al. further disclose the step of providing audio data related to the transport packet to memory (col. 3, ln. 24-30).

11. Regarding claims 14 and 17, Rim et al. further disclose the step of providing audio data related to the transport packet to memory includes bus-mastering the audio data related to the transport packet to memory (col. 3, ln. 48 to col. 4, ln. 40).

12. Regarding claim 18, Rim et al. further disclose that bus master controller is to bus-master representative of first data word from the audio parser to memory (col. 4, ln. 8-22 or referring to figure 4).

13. Regarding claim 19, Rim et al. further disclose that an audio decoding system with an input coupled to the output of the first comparator of the audio parser, to process a representative of the first data word from the audio parser into audio data (subunits 15 and 20-24 of figure 4, or refer to col. 4, ln. 8-22).

14. Regarding claim 29, Rim et al. further disclose that the audio decoding system is represented through hardware (figures 3-4).

15. Regarding claim 30, Rim et al. further disclose that the audio decoding system is represented through software (col. 10, ln. 48 to col. 11, ln. 17).

16. Regarding claim 31, Rim et al. further disclose that the audio decoding system includes an MPEG audio decoder (col. 3, ln. 22-26).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8, 20, and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rim et al. (US Patent No. 5841472) in view of Magee et al. (US Patent No. 5835493).

17. Regarding claim 8, Rim et al. fail to specifically disclose that the indicators include presentation time stamps. However, Magee et al. teach that the indicators include presentation time stamps (col. 6, ln. 50-56). The advantage of using the teaching of Magee et al. in Rim et al. is to allow the system to reconstruct the program time base corresponding to each program conveyed therein.

Since Rim et al. and Magee et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rim et al. by incorporating the teaching of Magee et al. in order to reconstruct the program time base corresponding to each program conveyed therein.



18. Regarding claim 20, Rim et al. fail to specifically disclose that the audio decoding system includes an elementary stream formatter for processing data associated with the data word into an elementary stream. However, Magee et al. teach that the audio decoding system includes an elementary stream formatter for processing data associated with the data word into an elementary stream (col. 13, ln. 5-11). The advantage of using the teaching of Magee et al. in Rim et al. is to ensure systems using different a data format to process data stream.

Since Rim et al. and Magee et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rim et al. by incorporating the teaching of Magee et al. in order to ensure systems using different a data format to process data stream.

19. Regarding claim 22, Rim et al. fail to specifically disclose that the audio decoding system is capable of generating an interrupt in response to a request for a particular portion of audio data to be processed by the audio parser. However, Magee et al. teach that the audio decoding system is capable of generating an interrupt in response to a request for a particular portion of audio data to be processed by the audio parser (col. 14, ln. 52-60). The advantage of using the teaching of Magee et al. in Rim et al. is to properly control the flow of data.

Since Rim et al. and Magee et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rim et al. by incorporating the teaching of Magee et al. in order to properly control the flow of data.

20. Regarding claim 23, the modified Rim et al. as applied in claim 22 further disclose that the request is generated through an application (col. 14, ln. 52-60).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rim et al. (US Patent No. 5841472) in view of Takahashi et al. (US Patent No. 6449352).

21. Regarding claim 6, Rim et al. fails to specifically disclose that the data property includes a sampling rate. However, Takahashi et al. teach that the data property includes a sampling rate (col. 11, ln. 58 to col. 12, ln. 15). The advantage of using the teaching of Takahashi et al. in Rim et al. is to allow the decoding system to process data appropriately to avoid errors.

Since Rim et al. and Takahashi et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rim et al. by incorporating the teaching of Takahashi et al. in order to allow the decoding system to process data appropriately to avoid errors.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rim et al. (US Patent No. 5841472) in view of Van Steenbrugge (US Patent No. 6076062).

22. Regarding claim 10, Rim et al. fail to specifically disclose that the decoding system includes an I2S formatter. However, Van Steenbrugge teaches disclose that the decoding system

includes an I2S formatter (col. 7, ln. 44-50). The advantage of using the teaching of Van Steenbrugge in Rim et al. is to allow system using the I2S format to process the incoming data.

Since Rim et al. and Van Steenbrugge are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rim et al. by incorporating the teaching of Van Steenbrugge in order to allow system using the I2S format to process the incoming data.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rim et al. (US Patent No. 5841472) in view of Magee et al. (US Patent No. 5835493), and further in view of Van Steenbrugge (US Patent No. 6076062).

23. Regarding claim 21, the modified Rim et al. fail to specifically disclose that the decoding system includes an I2S formatter. However, Van Steenbrugge teaches disclose that the decoding system includes an I2S formatter (col. 7, ln. 44-50). The advantage of using the teaching of Van Steenbrugge in the modified Rim et al. is to allow system using the I2S format to process the incoming data.

Since the modified Rim et al. and Van Steenbrugge are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Rim et al. by incorporating the teaching of Van Steenbrugge in order to allow system using the I2S format to process the incoming data.

Claims 24-25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rim et al. (US Patent No. 5841472) in view of Graham-Cumming, Jr. (US Patent No. 6182146).

24. Regarding claim 24, Rim et al. fail to specifically disclose that the decoding system is capable of identifying an audio property of the representative of the first data word through a second audio packet indicator. However, Graham-Cumming, Jr. teaches that the decoding system is capable of identifying an audio property of the representative of the first data word through a second audio packet indicator (col. 10, ln. 9-67). The advantage of using the teaching of Graham-Cumming, Jr. in Rim et al. is to make sure that the system identifies every packet in the data stream to enhance system's efficiencies.

Since Rim et al. and Graham-Cumming, Jr. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rim et al. by incorporating the teaching of Graham-Cumming, Jr. in order to make sure that the system identifies every packet in the data stream to enhance system's efficiencies.

25. Regarding claim 25, Rim et al. further disclose that the data property includes audio type (col. 3, ln. 62-67).

26. Regarding claim 27, Rim et al. further disclose that the stream indicator includes start codes (col. 4, ln. 23-40).

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rim et al. (US Patent No. 5841472) in view of Graham-Cumming, Jr. (US Patent No. 6182146) and further in view of Magee et al. (US Patent No. 5835493).

27. Regarding claim 28, the modified Rim et al. fail to specifically disclose that the indicators include presentation time stamps. However, Magee et al. teach that the indicators include presentation time stamps (col. 6, ln. 50-56). The advantage of using the teaching of Magee et al. in the modified Rim et al. is to allow the system to reconstruct the program time base corresponding to each program conveyed therein.

Since the modified Rim et al. and Magee et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Rim et al. by incorporating the teaching of Magee et al. in order to reconstruct the program time base corresponding to each program conveyed therein.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rim et al. (US Patent No. 5841472) in view of Graham-Cumming, Jr. (US Patent No. 6182146) and further in view of Takahashi et al. (US Patent No. 6449352).

28. Regarding claim 26, the modified Rim et al. fails to specifically disclose that the data property includes a sampling rate. However, Takahashi et al. teach that the data property includes a sampling rate (col. 11, ln. 58 to col. 12, ln. 15). The advantage of using the teaching

of Takahashi et al. in the modified Rim et al. is to allow the decoding system to process data appropriately to avoid errors.

Since the modified Rim et al. and Takahashi et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Rim et al. by incorporating the teaching of Takahashi et al. in order to allow the decoding system to process data appropriately to avoid errors.

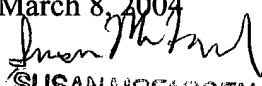
### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Vo whose telephone number is 703-305-8665. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner Huyen X. Vo

March 8, 2004  
  
SUSAN MCFADDEN  
PRIMARY EXAMINER